

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

KENT WILLIS

v.

U.S. POSTAL SERVICE

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CIVIL ACTION NO. 6:13cv791

**ORDER ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES
MAGISTRATE JUDGE**

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation (ECF 41), filed on March 31, 2015, recommends that Defendant's Motion to Dismiss Plaintiff's Amended Complaint (ECF 37) be granted and that the complaint be dismissed with prejudice for failure to state a claim upon which relief may be granted pursuant to FED. R. CIV. P. 12(b)(6). The Court granted Plaintiff's motion for an extension of time to file written objections and extended the deadline to May 22, 2015. Plaintiff filed written objections on May 26, 2015.


Having made a *de novo* review of the objections filed by Plaintiff, the Court finds that the findings, conclusions and recommendation of the Magistrate Judge are correct and Plaintiff's objections are without merit. The findings and conclusions of the Magistrate Judge are, therefore, adopted as those of the Court.

In light of the foregoing, it is

ORDERED that Defendant's Motion to Dismiss Plaintiff's Amended Complaint (ECF 37) is **GRANTED**. The above-styled lawsuit is **DISMISSED** with prejudice for failure to state a claim upon which relief may be granted pursuant to FED. R. CIV. P. 12(b)(6).

Any motion not previously ruled on is **DENIED**.

SIGNED this 9th day of June, 2015.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE